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The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 13

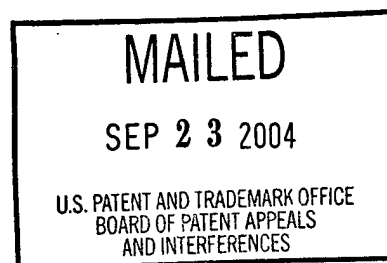
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte NEELAKANTAN SUNDARESAN

Appeal No. 2004-0213
Application No. 09/502,818

ON BRIEF



Before JERRY SMITH, RUGGIERO, and GROSS, ***Administrative Patent Judges.***

GROSS, ***Administrative Patent Judge.***

DECISION ON APPEAL

This is a decision on appeal from the examiner's final rejection of claims 1 through 22, which are all of the claims pending in this application.

Appellant's invention relates to a search system which generates dynamic search abstracts by checking a link repository for new link information about a preliminary result set and updating abstracts associated with the preliminary result set based on the new link information. Claim 1 is illustrative of the claimed invention, and it reads as follows:

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1. A system for automatically generating dynamic search abstracts, comprising:

a crawler for crawling documents and acquiring metadata and link information from the documents;

a metadata repository for storing the metadata acquired by the crawler;

a link repository for storing link information acquired by the crawler;

an abstract engine for generating abstracts of the documents from the metadata;

an indexing engine for periodically indexing the metadata and the link information;

a search engine for applying a search query to the metadata indexed by the indexing engine, to generate a preliminary result set containing selected abstracts; and

wherein the search engine inquires if the link repository contains new link information about the preliminary result set, and updates the selected abstracts based on the new link information, if any, to generate the dynamic search abstracts.

The prior art references of record relied upon by the examiner in rejecting the appealed claims are:

Nasr et al. (Nasr)	6,263,332	Jul. 17, 2001 (filed Aug. 14, 1998)
Kravets et al. (Kravets)	6,363,377	Mar. 26, 2002 (filed Dec. 22, 1998)

Claims 1 through 22 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kravets in view of Nasr.

Reference is made to the Examiner's Answer (Paper No. 9, mailed April 29, 2003) for the examiner's complete reasoning in

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support of the rejection, and to appellant's Brief (Paper No. 8, filed February 10, 2003) and Reply Brief (Paper No. 10, filed July 8, 2003) for appellant's arguments thereagainst.

OPINION

We have carefully considered the claims, the applied prior art references, and the respective positions articulated by appellant and the examiner. As a consequence of our review, we will reverse the obviousness rejection of claims 1 through 22.

Independent claims 1 and 6 recite that "the search engine inquires if the link repository contains new link information about the preliminary result set, and updates the selected abstracts based on the new link information, if any, to generate the dynamic search abstracts." Independent claim 11 includes a similar limitation in method format, with the method steps of inquiring and of updating the selected abstracts. The corresponding limitation in independent claim 17 is identical to that of claim 1 except that instruction codes rather than the search engine inquire and update the abstracts. Thus, all of the independent claims require an inquiry as to new link information about the preliminary result set, and an update to the selected abstracts based on the new link information.

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The examiner (Answer, page 4) asserts that Kravets discloses the above-noted limitation and directs our attention to column 11, lines 33-41, and column 12, lines 6-23. However, the portions of Kravets referenced by the examiner relate to modifying search queries, not to link information or updating abstracts.

Appellant argues (Brief, page 11) that Kravets does not teach automatically generating dynamic search abstracts, as recited in the preamble of each independent claim. Further, Appellant asserts (Brief, page 15) that the above-noted limitation of inquiring and updating abstracts is absent from Kravets. We agree. We find nothing in Kravets that suggests updating abstracts based on new link information, thereby generating dynamic search abstracts. Kravets teaches methods for reformulating searches to obtain a reasonable number of matching results, which is not the same as updating abstracts based on new link information. We note that the examiner combined Nasr with Kravets for rejecting the claims. However, the examiner relied on Nasr for a teaching of an abstract engine, which appellant (Brief, page 13) admits was known. Nasr adds nothing regarding the generation of dynamic search abstracts. Therefore, we cannot sustain the rejection of claims 1, 6, 11, and 17, nor of their

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dependents, claims 2 through 5, 7 through 10, 12 through 16, and 18 through 22.

CONCLUSION

The decision of the examiner rejecting claims 1 through 22 under 35 U.S.C. § 103 is reversed.

REVERSED

Jerry Smith
JERRY SMITH

JERRY SMITH
Administrative Patent Judge

JOSEPH F. RUGGIERO

JOSEPH F. RUGGIERO
Administrative Patent Judge

Anita Pellman Gross

ANITA PELLMAN GROSS
Administrative Patent Judge

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